

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JUDY G. NOTZ,

Plaintiff,

v.

KILOLO KIJAKAZI,¹

Acting Commissioner of Social Security,

Defendant.

No. 1:20-CV-01818

(Chief Judge Brann)

(Magistrate Judge Carlson)

ORDER

MARCH 29, 2022

Judy G. Notz filed this action seeking review of a decision of the Acting Commissioner of Social Security (“Commissioner”) denying Notz’s claim for social security disability benefits and supplemental security income.² In February 2022, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court affirm the Commissioner’s decision and close this case.³

Notz filed timely objections to the Report and Recommendation, raising seven claimed errors in Magistrate Judge Carlson’s Report and Recommendation.⁴ “If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a *de novo* determination of those portions of the report or specified

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Kilolo Kijakazi, as the successor officer to Andrew Saul, Commissioner of Social Security, is automatically substituted as Defendant in this action.

² Docs. 1, 19.

³ Doc. 23.

⁴ Doc. 24.

proposed findings or recommendations to which objection is made.”⁵ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁶

Upon *de novo* review of the record, the Court finds no error in Magistrate Judge Carlson’s recommendation. Although Notz disputes some of Magistrate Judge Carlson’s observations and conclusions, Magistrate Judge Carlson correctly determined that, as a whole, the Commissioner’s decision is supported by substantial evidence. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 23) is **ADOPTED**;
2. The Commissioner’s decision is **AFFIRMED**;
3. Final Judgment is entered in favor of Defendant and against Notz pursuant to Fed. R. Civ. P. 58 and sentence four of 42 U.S.C. § 405(g); and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge

⁵ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.